

**Notice of Allowability**

Application No.

10/849,619

Examiner

Abolfazl Tabatabai

Applicant(s)

FICARO ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed on May 19, 2004.
2. ☒ The allowed claim(s) is/are 1-12, 19 and 20 (now renumbered 1-14).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 6/14/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

2. Authorization for this Examiner's amendment was given in a telephone interview with Applicant's Attorney (Mr. Matthew M. Jakubowski with registration # 44,801), on December 11, 2007, without traverse --.

3. **Cancelled claims 13-18.**

### **Drawings**

4. **The drawings were received on February 7, 2008. The Examiner accepts these drawings.**

### **Information Disclosure Statement**

5. **The information disclosure statement (IDS) submitted on June 14, 2004 is being considered by the Examiner.**

## **Reasons for Allowance**

6. The following is an Examiner's statement of reasons for allowance. The prior art independently or in combination fails to teach or suggest, automated computer-implemented method and system for reorienting emission computer tomographic myocardial perfusion images comprises determining a center coordinate  $x[i]$ ,  $y[i]$  based on the endocardial surface and the area of the slice  $i$  within a reorientation slice range coordinate system, determining translation values  $\Delta x_i$ ,  $\Delta y_i$  and rotation values  $\theta_x, \theta_y$  based on the center coordinates  $x [i = 1 \text{ to } N]$ ,  $y [i = 1 \text{ to } N]$  to reorient the long axis of the LV to the z-axis and its origin of a reference Cartesian coordinate system; and automatically reorienting and realigning the tomographic images based on the translation values and rotation values to obtain reoriented ECT images reoriented and realigned to the long axis of the left ventricle in combination into other elements and features of **claims 1, 7 and 19**.

7. **Claims 1-12, 19 and 20 are allowed.**

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Citation of Relevant Prior Art**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wei et al (U. S. 6,473,636 B1) disclose variable-length correlation method for motion correction in spect myocardial perfusion imaging.

O'Donnell et al (U. S. 6,563,941) disclose mode-based registration of cardiac CTA and MR acquisitions.

Wolff et al (U. S. 6, 618,605 B1) disclose method and apparatus for MR perfusion image acquisition using a notched RF saturation pulse.

Qian et al (U. S. 5,758,645) disclose automatic detection and correction of body organ motion in nuclear medicine studies.

### **Contact Information**

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (571) 272-7458.

The Examiner can normally be reached on Monday through Friday from 9:30 a.m. to 7:30 p.m. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta, can be reached at (571) 272-7453. The fax phone number for organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abolfazl Tabatabai

Patent Examiner

Technology Division 2624

February 4, 2008

*A. Tabatabai*